

AN ORDINANCE approving the awarding of Reference #1612 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and MAXWELL TREE EXPERT CO., INC. for the Parks & Recreation Department.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #1612 between the City of Fort Wayne, by and through its Department of Purchasing and MAXWELL TREE EXPERT CO., INC. for the Parks & Recreation Department, respectfully for:

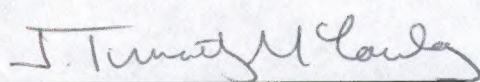
the pruning of City trees for the Parks & Recreation Department;

involving a total cost of Twenty-One Thousand Four Hundred Sixty-Three and 80/100 \pm Dollars (\$21,463.80 \pm), all as more particularly set forth in said Reference #1612, which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.


Council Member

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCaulay, City Attorney

REF. NO.: 1612
DEPT: PARK DEPARTMENT
DATE: 10/07/92
ITEM/SERVICE: PRUNING OF STREET TREES

PURCHASING INFORMATION

ADVERTISED BID: YES
DATES ADVERTISED: 09/14/92 & 09/21/92
OPENING DATE: 10/01/92
WRITTEN QUOTE: NO
DUE DATE:

VERBAL QUOTE: NO

SINGLE SOURCE: NO

NO. OF VENDORS NOTIFIED: 12

NO. OF VENDORS RECEIVING BID: 7

NO. OF VENDORS RETURNING BID: 3

NO. OF VENDORS DISQUALIFIED: 0

NO. OF VENDORS NOT RESPONDING: 5

DATE SENT TO DEPT FOR RECOMM: 10/05/92

DATE RECOMMENDATION REC'D IN PURCH 10/07/92

COUNCIL INFORMATION	DATES SENT	EXTENSION DATES
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DATE INFO SENT TO LAW DEPT:	10/07/92	
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INTRODUCTION DATE:	10/13/92	
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DISCUSSION DATE:	10/20/92	
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PASSAGE DATE:	10/27/92	
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ORDINANCE NO:

AMOUNT APPROVED AND/OR SPENT
LAST YEAR:

BID REFERENCE NO. 1612
PRUNING OF CITY TREES
PARK DEPARTMENT

DESCRIPTION	MUDRACK TREE	SIEBOLD PRICE	MAXWELL TREE
EACH TREE	\$33.41	\$112.00	\$24.90
TOTAL BID	\$28,800.00	\$108,864.00	\$21,463.80

FRONT PAGE/INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
PHONE 219-427-1101

BID OPENING DATE OCTOBER 1, 1992 BID REFERENCE # 1612

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER".

THIS INVITATION FOR BID IS FOR PRUNING OF CITY TREES AS PER
SPECIFICATIONS

AND REQUESTED BY PARKS & RECREATION DEPARTMENT

THIS BID REQUIRES A XXX \$500.00 BID BOND, CERTIFIED OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: %
IF PAID WITHIN DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME MAXWELL TREE EXPERT CO, INC.

STREET ADDRESS 7616 Winchester Road

CITY Fort Wayne, IN 46819 PHONE # 219-747-7575

BY 
REPRESENTATIVE SIGNATURE

Gregory S. Maxwell, Pres.

SPECIFICATIONS FOR TREE PRUNING

All work will be done in a professional manner and done to standard arboricultural practices.

Large trees will have low limbs removed to a 10 to 14 foot clearance above the curb. Smaller trees will be elevated proportionately. Limbs over the sidewalk will be removed to within 2 feet of the street side clearance that is achieved. A balanced even height of the low limbs will be achieved as nearly as possible.

Limbs blocking street lights will be removed.

Limbs growing onto the roofs of houses or near the roofs will be cut back to achieve a clearance of a minimum of 10 feet.

Dead limbs over 1" will be removed from the crown. Limbs with decay, cavities and/or splits will be removed.

Limbs over 2" in size that are crossing or rubbing will be removed.

Sprout growth and inefficient internal limbs throughout the crown will be removed to give the tree an open balanced appearance.

~~The trees in the area to be pruned include all streets south east of rte 69 and north of Washington Center Road and west of the Saint Joe River to the northern City Limits. (The map of section 215 described above, and summary of the trees in this area are attached.)~~

Cleanup will be done with rakes. It will not be necessary to sweep the streets.

Trees may be added or deleted from this bid.

PRICE PER TREE:

\$ 24.90 (\$24.90)

TOTAL PRICE FOR BID:

\$ 21,463⁸⁰ (\$21,463.80)

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.3)
(Please type or print)

Date: October 1, 1992
 1. Governmental Unit: City of Fort Wayne/Dept. of Purchasing
 2. County: Allen
 3. Bidder (Firm): MAXWELL TREE EXPERT CO., INC.
 Address: 7616 Winchester Road
 City/State: Fort Wayne, IN 46819
 4. Telephone Number: (219) 747-7575
 5. Agent of Bidder (if applicable): _____

Pursuant to notices given, the undersigned offers bid(s) to City of Fort Wayne/Dept. of Purchasing (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

Signature of Bidder or Agent

Gregory S. Maxwell, Pres.

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
) SS:
Allen COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

MAXWELL TREE EXPERT CO., INC.
 Bidder (Firm)

Signature of Bidder or Agent

Gregory S. Maxwell,
Pres.Subscribed and sworn to before me this 1ST day of October, 19 92My Commission Expires: 11-28-92County of Residence: Allen

Notary Public

Jerome P. Wisel, Notary
 Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered _____ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members:

Date: _____

BID, OFFER OR PROPOSAL**on****MATERIAL OR MATERIALS, EQUIPMENT, GOODS OR SUPPLIES**

CLASS OR ITEM	QUANTITY	UNIT	QUALITY - DESCRIPTION	UNIT PRICE	AMOUNT
			N/A		

ACORD. CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY)

09/17/92

PRODUCER

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

Lupke-Rice-Clancy Associates
P.O. Box 11309
Fort Wayne, IN 46857

COMPANIES AFFORDING COVERAGE

INSURED

Maxwell Tree Expert Co., Inc.
7616 Winchester Road
Fort Wayne, IN 46819

COMPANY
LETTER A

American States Insurance Co.

COMPANY
LETTER B

Cincinnati Insurance Co.

COMPANY
LETTER CCOMPANY
LETTER DCOMPANY
LETTER E

COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
GENERAL LIABILITY					
A x	COMMERCIAL GENERAL LIABILITY CLAIMS MADE x OCCUR. OWNER'S & CONTRACTOR'S PROT.	01-CC-266830-5	1/1/92	1/1/93	GENERAL AGGREGATE \$1,000,000 PRODUCTS-COMP/OP AGG. \$1,000,000 PERSONAL & ADV. INJURY \$1,000,000 EACH OCCURRENCE \$1,000,000 FIRE DAMAGE (Any one fire) \$ 50,000 MED. EXPENSE (Any one person) \$ 5,000
AUTOMOBILE LIABILITY					
A x	ANY AUTO ALL OWNED AUTOS x SCHEDULED AUTOS x HIRED AUTOS x NON-OWNED AUTOS GARAGE LIABILITY	01-CC-266830-5	1/1/92	1/1/93	COMBINED SINGLE LIMIT \$ 500,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE \$
EXCESS LIABILITY					
B x	UMBRELLA FORM OTHER THAN UMBRELLA FORM	CCC 257 36 44	1/1/92	1/1/93	EACH OCCURRENCE \$2,000,000 AGGREGATE \$2,000,000
WORKER'S COMPENSATION					
A	AND EMPLOYERS' LIABILITY	01-WC 455291-40	1/1/92	1/1/93	STATUTORY LIMITS EACH ACCIDENT \$ 100,000 DISEASE-POLICY LIMIT \$ 500,000 DISEASE-EACH EMPLOYEE \$ 100,000
OTHER					

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

CERTIFICATE HOLDER

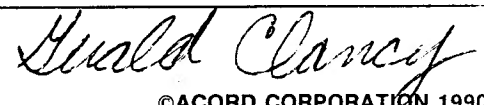
Purchasing Department
City of Fort Wayne
Room 350, City-County Building
Fort Wayne, IN 46802

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Gerald Clancy



FERTILIZING



MAXWELL TREE EXPERT CO., Inc.

7616 Winchester Road, Fort Wayne, Indiana 46819

Phone 747-7575 (Area 219)

City Licensed and Fully Insured

October 1, 1992

PRUNING

Purchasing Department
City of Fort Wayne
Room 350, City-County Building
Fort Wayne, IN 46802

STUMP REMOVAL

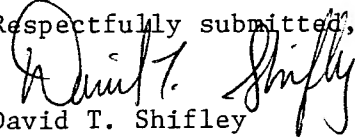
To Whom It May Concern:

Please be advised that Maxwell Tree Expert Co., Inc.
has on file with the City of Fort Wayne the following:

Bidder/Vendor Anti-Apartheid Certification
and
Certification of Non-Segregated Facilities.

LARGE TREE MOVING

Enclosed are the copies of the forms submitted to the City
of Fort Wayne on October 2, 1991, and these also have been
re-applied for as of this date.

Respectfully submitted,

David T. Shifley
Tree Division Manager

SPRAYING

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TREE REMOVAL

Enclosure

FERTILIZING



MAXWELL TREE EXPERT CO., Inc.

7616 Winchester Road, Fort Wayne, Indiana 46819

Phone 747-7575 (Area 219)

City Licensed and Fully Insured

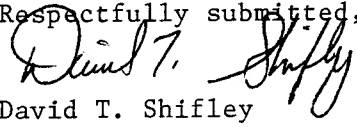
October 1, 1992

Purchasing Department
City of Fort Wayne
Room 350, City-County Building
Fort Wayne, IN 46802

To Whom It May Concern:

Please be advised that Maxwell Tree Expert Co., Inc. has complied with the City of Fort Wayne Affirmative Action Program which is in effect until October 2, 1992, and has been re-applied for as of this date. Enclosed is a copy of the letter authorizing such information.

Respectfully submitted,


David T. Shifley
Tree Division Manager

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Enclosure

• PRUNING

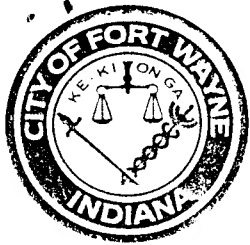
• STUMP REMOVAL

• TREE MOVING

• LARGE TREE

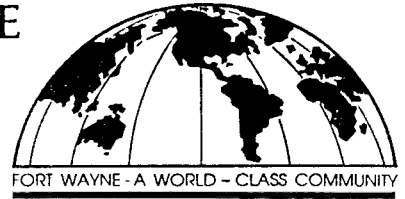
• SPRAYING

• TREE REMOVAL



THE CITY OF FORT WAYNE

RECEIVED OCT 11 1991



Paul Helmke
Mayor

October 9, 1991

Mr. Gregory S. Maxwell
Maxwell Tree Expert Co., Inc.
7516 Winchester Road
Fort Wayne, IN 46819

RE: Affirmative Action Plan

Dear Mr. Maxwell:

This letter is to notify you that your Affirmative Action Plan has been received by the City of Fort Wayne, Indiana. Equal Employment Opportunity and Affirmative Action are very important to the City of Fort Wayne and to the people of our community.

We look forward to assisting you in reaching our mutual goals. Your plan will be in effect for one year and the expiration date is October 2, 1992. Thank you for your cooperation.

Sincerely,

Marsha R. Gold
Contract Compliance Secretary

MRG

CC: Charles Bailey
File

An Equal Opportunity Employer
One Main Street, Fort Wayne, Indiana 46802

Read the first time in full and on motion by Belmont, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on Committee of the Whole (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 10-13-92

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Belmont, seconded by _____, and duly adopted, placed on its passage.
PASSED ~~LOST~~ by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
TOTAL VOTES	<u>8</u>			<u>1</u>
BRADBURY	<u>✓</u>			
EDMONDS	<u>✓</u>			
GiaQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG				<u>✓</u>
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 10-27-92

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,

Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL)

(ZONING)

ORDINANCE

RESOLUTION NO.

D-177-92

on the 27th day of October, 1992

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Thomas P. Henry
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on

the 28th day of October, 1992,

at the hour of 3:00 o'clock P, M., E.S.T.

Approved and signed by me this 2nd day of November,

1992, at the hour of 9:15 o'clock A P., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Reference No. 1612 for the pruning of city trees for the Park Department.

IF NOT LOWEST, WHO WAS AND WHY WERE THEY NOT AWARDED:

EFFECT OF PASSAGE: Prune 865-1000 street trees.

IF REPLACEMENT, WHAT NECESSITATES:

J-92-10-04

EFFECT OF NON-PASSAGE: The Park Department will not prune these trees until 1994. This will help keep the pruning cycle at eight (8) years.

MONIES INVOLVED: Maxwell Tree \$21463.80+/-

ACCOUNT INFO: Park Department 121-121-P260-4399

PRICE AGREEMENT: YES

PURCHASE ORDER: NO

SOURCE OF FUNDING: Park Department

PRIOR APPROVAL: No DATE:
(IF APPLICABLE)

BILL NO. S-92-10-04

REPORT OF THE COMMITTEE ON
THE COMMITTEE OF THE WHOLE

DONALD J. SCHMIDT, CHAIR
CLETUS R. EDMONDS, VICE CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON THE COMMITTEE OF THE WHOLE TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving the awarding
of Reference #1612 by the City of Fort Wayne, Indiana, by and
through its Department of Purchasing and MAXWELL TREE EXPERT CO., INC.
for the Parks & Recreation Department

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Sam Talarico

Y. Brathbury

Jackie Jones

Bob Jones

Robert Jones

Robert Jones

Robert Jones

DATED: 10-27-92.

Sandra E. Kennedy
City Clerk